

## REGULATION 4A

### LOTTERIES

#### **4A.010 Definitions.**

#### **4A.100 Review of lottery approval decisions.**

#### **4A.110 Appeal of lottery approval decisions.**

#### **4A.010 Definitions.** As used in this regulation:

1. "Lottery approval" means the authority conferred upon the executive director, to approve or deny, in his individual discretion, an applicant's request to conduct a legitimate charitable lottery as provided in chapter 462 of the Nevada Revised Statutes.

2. "Lottery approval decision" means the final action by the executive director on an application to conduct a lottery.

3. "Application" means a written request filed with the board in conformity with chapter 462 of the Nevada Revised Statutes to conduct a legitimate charitable lottery.

4. "Board" means the state gaming control board.

5. "Commission chairman" means the chairman of the Nevada gaming commission or his designee.

6. "Executive director" means the chairman of the state gaming control board or his designee.

(Adopted: 12/91.)

#### **4A.100 Review of lottery approval decisions.**

1. Any applicant whose application for lottery approval is denied by the executive director may request a review of the application by the board.

2. A request for review of the lottery approval decision must be submitted within 20 days after the date of receipt of a written notice by the executive director of his lottery approval decision and must contain:

(a) A statement of the facts relevant to the review of the lottery approval decision;

(b) A statement of the provisions of chapter 462 of the Nevada Revised Statutes and the regulations of the commission relevant to the review of the lottery approval decision;

(c) A statement of the arguments that the applicant considers relevant to the review of the lottery approval decision;

(d) A statement of the reasons which justify review of the lottery approval decision; and

(e) Any other evidence considered relevant.

3. A review of the lottery approval decision will be included on the agenda of the board at the next regular meeting of the board occurring more than 10 working days after receipt by the board of the request for review. A majority of the board may affirm, rescind, or modify such decision.

(Adopted: 12/91.)

#### **4A.110 Appeal of lottery approval decisions.**

1. Any applicant affected by a lottery approval decision may file a notice of appeal of a lottery approval decision after it has been reviewed pursuant to section 4A.100. The applicant may file with the commission a notice of appeal of a lottery approval decision within 20 days of the date upon which the applicant receives written notice of the decision of the board made pursuant to the provisions of section 4A.100.

2. An appeal of a lottery approval decision shall be included on the agenda of the next regularly scheduled commission meeting occurring more than 10 working days after the filing of the notice of appeal. Upon good cause shown by an applicant, the commission chairman may waive the 10-day requirement of this subsection and place an appeal of a lottery approval decision on an earlier commission agenda.

3. In deciding such an appeal, the commission for any cause deemed reasonable, may by a majority vote, sustain, modify or reverse the decision of the board, or remand the matter to the board for such further investigation and reconsideration as the commission may order.

4. Judicial review is not available for actions, decisions, and orders of the board and commission made or entered under the provisions of this section.

(Adopted: 12/91.)

## End – Regulation 4A